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UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of  
Morikawa et al.  
Application No.: 10/030,226  
PCT No.: PCT/JP00/04549  
Int. Filing Date: 07 July 2000  
Priority Date: 08 July 1999  
Attorney Docket No.: 084335-0154  
For: Fatty Acid Transporter Proteins And  
The Genes Encoding The Proteins

DECISION

This application is before the PCT Legal Office for consideration of issues arising under 35 U.S.C. 371.

### BACKGROUND

This international application was filed on 07 July 2000 and claimed a priority date of 08 July 1999. The International Bureau transmitted a copy of the published international application to the USPTO on 18 January 2001. A Demand electing the United States was filed prior to the elapse of 19 months from the priority date. Consequently, the thirty period for payment of the basic national fee in the United States expired as of midnight on 08 January 2002.

On 08 January 2002, applicants filed *inter alia* the basic national fee and declarations of the inventors.

### DISCUSSION

Review of the record reveals that the name of one of the joint inventors has changed as a result of marriage. Specifically, the published international application lists "Yuri Kawai" while the declaration lists "Yuri Hio aka Yuri Kawai (Family name has changed from Kawai to Hio as a result of marriage)." In order for the declaration to be accepted, a proper petition under 37 CFR 1.182 is required to resolve this matter (MPEP 605.04(c)). Such a petition must be accompanied by the \$130.00 petition fee and by a verified statement by the inventor which sets forth in detail the specific circumstances as to how and when the change was made (e.g., name change due to marriage).

### CONCLUSION

Acceptance of the declaration filed on 08 January 2002 is held in abeyance pending

submission of a grantable petition as discussed above.

A proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time are available under 37 CFR 1.136(a). A proper response should include a cover letter entitled "Petition Under 37 CFR 1.182" and be accompanied by the required petition fee and an acceptable explanation of the facts as discussed above. Failure to timely file a proper response will result in ABANDONMENT of the application.

Please direct any further correspondence with respect to this matter to the Assistant Commissioner for Patents, Box PCT, Washington, DC 20231, and address the contents of the letter to the attention of the PCT Legal Office.



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